

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.6145 of 2022

Kanithi Saujanya @ ***Petitioner***
Saujanya Kanithi

Mr. P.K. Mishra, Advocate

-versus-

State of Odisha ***Opp. Party***

*Mr. Manoranjan Mishra,
Addl. Standing Counsel*

**CORAM:
JUSTICE S.K. SAHOO**

ORDER
28.06.2022

Order No.

01. This matter is taken up through Hybrid arrangement (video conferencing/physical mode).

Heard the learned counsel for the petitioner and learned counsel for the State.

This is an application under section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in connection with Kharbelanagar P.S. Case No.418 of 2021 arising out of ICC Case No. 5645 of 2021 pending before the learned S.D.J.M., Bhubaneswar for alleged commission of offences under sections 292A, 294, 354A, 354D, 465, 469, 506, 500, 509 of the Indian Penal Code and sections 67 and 67A of the Information Technology Act.

Perused the F.I.R. annexed to the anticipatory bail application.

Learned counsel for the petitioner submitted that the

petitioner first lodged the F.I.R. against the informant Siddhant Kumar Dutt before the Inspector in-charge of Badabazar police station, Berhampur on 06.10.2021 complaining the harassment by the informant and after the case was registered, the informant Siddhant Kumar Dutt was taken into judicial custody and after he was released on bail, he has foisted the present case against the petitioner by filing a complaint petition in the Court of learned S.D.J.M., Bhubaneswar, which was forwarded under section 156(3) of the Cr.P.C. to the Inspector in-charge of Kharabelanagar police station and accordingly, the case has been registered against the petitioner under the Magistrate triable offences. Learned counsel further submitted that the complaint petition has been filed just as a counter-blast to the F.I.R. lodged by the petitioner and since the petitioner is a lady, keeping in view the proviso to section 437(1) of Cr.P.C., the bail application may be favourably considered.

Learned counsel for the State opposed the prayer for anticipatory bail.

Considering the submissions made by the learned counsel for the respective parties, the nature of accusation against the petitioner, the offences are triable by Magistrate and the background of the case and keeping in view the proviso to section 437(1) of Cr.P.C. and on hearing the learned counsel for the State, I am inclined to release the petitioner on anticipatory bail and accordingly, this Court directs that in the event of arrest of the petitioner in connection with the aforesaid case, she shall be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with

two sureties each for the like amount to the satisfaction of the arresting officer with further conditions that she shall make herself available for interrogation by the I.O. as and when required and she shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to the Investigating Officer.

Violation of any of the above conditions shall entail cancellation of bail.

The ABLAPL is accordingly disposed of.

Urgent certified copy of this order be granted on proper application.



PKSahoo